

Australian Masters Athletics Inc.

Inclusion of Transgender and Gender Diverse People in Masters Athletics Competition Policy

A. Definitions

- A.1. **Athlete(s):** refers to participants who are 30 years of age and over and are registered and a financial member of Australian Masters Athletics Inc. (“AMA”) Member Association.
- A.2. **Eligibility Requirements:** any eligibility policy, rules and/or regulations mandated by World Masters Athletics (“WMA”), in relation to Transgender and Gender Diverse athletes, as amended from time to time.
- A.3. **Gender Diverse** is an umbrella term that includes all the different ways gender can be experienced and perceived. It can include people questioning their gender, those who identify as trans/transgender, gender queer, non-binary, gender non-conforming and many more.
- A.4. **Gender Identity** is defined in the Sex Discrimination Act 1984 (Cth) as ‘the gender related identity, appearance or mannerisms or other gender-related characteristics of a person (whether by way of medical intervention or not), with or without regard to the person’s designated sex at birth’. For example, a person’s birth certificate may include a marker that indicates that the person’s designated sex is female when that person identifies as a man (in other words, their gender identity is that of a man).
- A.5. **Intersex / Intersex Status** is a protected attribute under the Act. Under the Act, “Intersex Status” means the status of having physical, hormonal or genetic features that are: neither wholly female nor wholly male; a combination of female and male; or neither female nor male. This Policy does not specifically address Intersex variations. The term Intersex does not describe a person’s gender identity (man, woman, neither or both). A person with an Intersex variation may identify as a man, woman, neither or both.
- A.6. **Member Association:** means any state or territory member organisation of AMA.
- A.7. **Non-binary** is a term used to describe a person who does not identify exclusively as either a man or a woman. Genders that sit outside of the female and male binary are often called non-binary. A person might identify solely as non-binary or relate to non-binary as an umbrella term, and

consider themselves gender fluid, gender queer, trans masculine, trans feminine, agender, bigender or something else.

- A.8. **Season** means the period in which a defined calendar of track and field competition and/or out-of-stadia competition is conducted by AMA.
- A.9. **Sex** refers to a person's biological sex or sex characteristics. These may be genetic, hormonal, or anatomical. Whilst typically based upon the sex characteristics observed and recorded at birth, a person's sex may differ from their sex recorded at birth.
- A.10. **Transgender** (commonly abbreviated to "trans") is a general term used to describe a person whose gender identity is different to the sex they were assigned at birth. Being transgender is about how an individual describes their own gender. It is not necessarily about their biological characteristics.
- A.11. **Transition or Affirmation** refers to the social, medical, or legal steps that a Transgender person takes to affirm their Gender Identity. A Transition or Affirmation may or may not involve medical treatment, including surgeries or hormone therapy. People can transition as children or as adults. Each Transition is different.

1. Purpose

- 1.1. All people should have the opportunity to participate in athletics. AMA is committed to the inclusion of Transgender and Gender Diverse athletes in athletics.
- 1.2. The purpose of this Policy is to provide for the participation of Transgender and Gender Diverse athletes in masters athletics competitions conducted and/or sanctioned by AMA in Australia, within the context of AMA being a member of WMA.
- 1.3. AMA acknowledges that:
- a) Athletics competitions are competitive sporting activities in which the strength, stamina or physique of competitors is relevant, and this is also recognised under Australian law.
 - b) It is a national association representing masters athletics in Australia.
 - c) It is a member of WMA.
 - d) WMA has decided to follow and adopt eligibility regulations for the female classification and the eligibility regulations for transgender athletes for differences in sex development and transgender and differences in sex development athletes, respectively. WMA enforces eligibility requirements related to the participation of trans men and trans women athletes at WMA conducted and/or sanctioned competitions.

2. Scope and Application

- 2.1. This Policy applies to AMA.
- 2.2. This Policy applies to athletes who are 30 years of age and over and registered in Australia with AMA Member Associations and who seek to compete in masters athletics competitions conducted and/or sanctioned by AMA.
- 2.5. This Policy does not apply to coaches, officials, athlete support personnel, administrators, or any similar roles.
- 2.6. This Policy does not apply to any activity undertaken by state or territory masters athletics associations that are members of AMA or to activities which are ancillary to competing.
- 2.7. This Policy is not intended to apply to individuals of Intersex Status where an individual is participating in the category consistent with their sex as assigned at birth. However, the [World Athletics Official Book of Rules - Eligibility Rules C3.3A](#) may be relevant for individuals of Intersex Status.

3. Eligibility

- 3.1. AMA is a member of WMA. The purposes of WMA include:
 - a) Developing, regulating, promoting, and managing all aspects of the sport of masters athletics at the world level.
 - b) Safeguarding, acting in the interests of, and maintaining the reputation and integrity of masters athletics.
 - c) Fostering a supportive and non-discriminatory environment for Athletes, officials, support staff, and administrators involved in masters athletics throughout the world, regardless of age, gender, sexual preference, race, religion, political or other orientation and ability.
 - d) Sanctioning, promoting, and ensuring the conduct of WMA Championships and other competitions.
- 3.2. Athletics competitions are competitive sporting activities in which the strength, stamina or physique of competitors is relevant, and this is also recognised under Australian law. The competitive sporting activity exemption in Section 42 of the Sex Discrimination Act 1984 (Cth) is relevant to masters athletic competitions in Australia conducted and or sanctioned by AMA.
- 3.3. Competitions Conducted and/or Sanctioned by AMA

An athlete must comply with the eligibility policy, rules and requirements for the competition. At AMA conducted and/or sanctioned competitions, athlete eligibility is based on the application of WMA's eligibility requirements. In summary, these include:

 - a) Transgender men who wish to compete in the male classification at an

AMA conducted and/or sanctioned event, or to have recognised any Regional and or World Record performance in the male classification in a competition that is not conducted and/or sanctioned by AMA, must provide at the time of registration for an event, a declaration in a form satisfactory to the Competition Manager, that their gender Identity is male.

- b) Transgender women who wish to compete in the female classification at an AMA conducted and/or sanctioned event, or to have recognised any Regional and or World Record performance in the female classification in a competition that is not conducted and/or sanctioned by AMA, must provide at the time of their registration for an event, a declaration in a form satisfactory to the Competition Manager that:
 - i. Their Gender Identity is female, and they comply with World Athletics Eligibility Rules. This declaration serves as a formal acknowledgement of the biological eligibility criteria (absence of the SRY gene). Athletes are directed to the [World Athletics Official Book of Rules - Eligibility Rules C3.3A](#) to review the specific medical exceptions and DSD regulations.
 - ii. AMA reserves the right to verify eligibility through targeted testing. Any athlete in the female category selected for a doping control test may also be required to undergo an SRY test (buccal swab or blood sample). Failure to comply with testing when requested will result in immediate disqualification.
 - iii. In the event of a positive SRY test result (outside of documented WA exceptions), the athlete shall be deemed ineligible for the female category. Any results achieved, medals won, or records set in the female category at a AMA sanctioned Championships event, from the date this rule is enacted, shall be nullified. The declaration at the time of registration shall include an acknowledgement that the athlete is aware of these consequences.
- c) In the case of mass participation events as part of a competition conducted and/or sanctioned by AMA in Australia, the application of the WA requirements for transgender athletes shall apply.
- d) Event owners (other than those to which this Policy applies) or WMA may elect to impose stricter or other eligibility rule requirements on participation in these types of events at their discretion.

3.4 Participation of Non-Binary People

AMA recognises the WMA participation of trans men and trans women. Nonbinary people are welcome and included in competitions conducted and or sanctioned by AMA. However, due to the current binary nature of athletics competition, non-binary people can compete in the male or female category based on their sex assigned at birth or subject to clause 3.3 of this Policy under the gender category of male or female that most affirms their gender.

a) AMA is aware that an athlete's Gender Identity may change during and between seasons. If there is a change, the athlete must, in the first instance, notify AMA's Competition Manager (or equivalent) before their intended participation in any competition conducted and/or sanctioned by AMA.

b) The athlete may only participate in their nominated male or female category for the duration of any given season, with their participation subject to the eligibility requirements outlined in clauses 3.1 to 3.3 of this Policy.

3.5 For the purpose of confirming an athlete's eligibility in Australia for events conducted and/or sanctioned by AMA, AMA shall refer assessment and decisions on eligibility to the WMA Medical Panel.

4. National, Regional and World Records

4.1. For an athlete's performance to be considered for National, Regional or World Records, an athlete must first meet the WMA's eligibility requirements.

5. Breaches, Complaints, and Appeals

5.1. A breach or non-compliance with the WMA eligibility requirements for transgender athletes may be dealt with under disciplinary provisions of WMA's Constitution and By-Laws and the World Athletics Integrity Code of Conduct.

5.2. Any complaint or dispute in relation to this Policy will be dealt with in accordance with the relevant AMA Constitution, By-Laws and Policies.

5.3. Any individual found to be in breach of this Policy will be subject to disciplinary proceedings.

5.4. All forms of abuse or harassment will not be tolerated and will be subject to appropriate disciplinary action.

5.5. Appeals may be lodged in accordance with the relevant WMA and AMA ByLaws and policies.

5.6. AMA encourages member state and territory associations and the broader community to raise any concerns or issues that might reflect a breach of this Policy so that the appropriate action can be taken.

6. Confidentiality

6.1. All cases arising under this Policy, and in particular, all athlete information provided to AMA under this Policy, and all results of examinations and assessments conducted under this Policy, will be dealt with in strict confidence at all times and in accordance with AMA's Privacy Policy.

- 6.2. AMA shall protect the privacy of athletes. This is particularly important when dealing with any personal or sensitive information regarding a person's gender identity, transition or affirmation process.
- 6.3. AMA will comply with the provisions of the Privacy Act 1988 (Cth), the Australian Privacy Principles (APPs), and the relevant legislation and regulations of the States and Territories. Further information is available from the Office of the Australian Information Commissioner at www.oaic.gov.au/privacy-law.
- 6.4. Personal information should only be collected from participants if absolutely necessary and with the individual's consent.
- 6.5. Any personal information collected by AMA must only be disclosed if necessary and in accordance with the law.
- 6.6. AMA must:
 - a) Securely store personal information in line with privacy legislation.
 - b) Not disclose personal information without the express consent of the individual.

7. Anti-Doping

- 7.1. Athletes are responsible for any substance found in their system. They are responsible for knowing what the anti-doping rule violations are. Compliance with the requirements of WMA's Anti-Doping Policy is mandatory, including, for example, where Therapeutic Use Exemptions are required. If further guidance regarding anti-doping is needed, please get in touch with AMA's Secretary (email: secretary@australianmastersathletics.org.au)

8. Uniforms

- 8.1. Participants, regardless of their Gender Identity, may wear the uniform of their choosing, so long as it conforms with the relevant rules of competition.

9. Related Policies

- 9.1. Every AMA Policy is inclusive of people with diverse genders and sexualities, including their families.
- 9.2. AMA's By-Laws and Policies, which may be relevant to this Policy, are available at <https://australianmastersathletics.org.au/>